

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

WARREN D. WAMSLEY,

Petitioner,

v.

**Civil Action no. 2:07cv41
(Judge Maxwell)**

**THOMAS McBRIDE, Warden,
Mount Olive Correctional Center.**

Respondent.

ORDER TO SUBSTITUTE RESPONDENT

On May 21, 2007, the *pro se* petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. He named as the respondent, Thomas McBride, warden of the Mount Olive Correctional Center. Since the initiation of this action, Thomas McBride has been replaced, and the current warden at Mount Olive is David Ballard. Accordingly, it is hereby

ORDERED that the Clerk of the Court shall terminate Thomas McBride as the respondent in this matter and substitute David Ballard.

IT IS SO ORDERED.

The Clerk of the Court is directed to send a copy of this Order to the *pro se* petitioner and provide a copy to counsel of record as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

DATED: January 23, 2008.

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE